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House Democrats Introduce Legislation to Shorten CIA's Leash

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House Democrats have proposed legislation to tighten congressional oversight of the Central Intelligence Agency's covert intelligence activities in the wake of the Iran arms sales controversy. The measure calls for advance written notification of covert actions, except in "extraordinary circumstances" in which the president could defer informing Congress "for not more than 48 hours."

The legislation was introduced Wednesday night by Rep. Louis Stokes (D-Ohio), the new chairman of the House Permanent Select Committee on Intelligence, and nine other Democrats.

Stokes and other sponsors of the Intelligence Oversight Amendments of 1987 made it clear that their action was prompted by the Iran-contra controversy and what one Democrat said is the Reagan administration's tendency to treat congressional oversight "as an irritant to be avoided or overcome."

Congressional sources have expressed anger for months that the president in January 1986 signed a secret intelligence "finding" authorizing the arms sales to Iran without notifying congressional intelligence committees for 10 months, contrary to the "timely" notification required by law.

Stokes said the administration has allowed "the nation's most sensitive intelligence operations to be carried out by individuals who deem the Congress more of a threat than hostile governments and terrorists."

"Never again," Stokes said, "must we hear that an activity of the U.S. government is so sensitive that knowledge of it must be withheld from the U.S. Congress."

The amendments would eliminate certain ambiguities in the law that have led to administration assertions that presidential "findings can be oral."

The amendments would require that presidential findings be in writing, signed by the president, and that the written findings be provided to the Senate and House intelligence committees and all statutory members of the National Security Council (NSC) "prior to the initiation of a covert action."

The January 1986 finding was not distributed to several NSC members, including Secretary of State George P. Shultz.

The statutory NSC members include the secretaries of state and defense, the chairman of the Joint Chiefs of Staff, the vice president and the director of central intelligence.

The requirements for reporting covert actions would be explicit under the amendments. Advance notice would have to be given to the two congressional oversight committees except on rare occasions "when the president believes there is an unusual degree of sensitivity." On such occasions, however, the president would have to inform the eight key congressional leaders—the Senate majority and minority leaders, the House speaker and minority leader, the chairman and vice chairman of the Senate Select Committee on Intelligence, and the chairman and vice chairman of the House intelligence panel.

Notification of those eight, in extraordinary cases "where the president must react with speed because of an immediate threat to our national security . . . may be deferred for a maximum of 48 hours," according to the legislation.

Rep. Edward P. Boland (D-Mass.), a former intelligence panel chairman, said the form and timing of congressional notification of covert action involves difficult constitutional prerogatives of the legislative and executive branches of government. But he said the proposed amendments would ensure that "whatever mistakes were made are not repeated."

The chairman of the Senate intelligence panel, David L. Boren (D-Okla.), indicated that he could not fully endorse the House proposal. "We need to define what we mean by 'timely,'" he said. "We may have to make that more specific."

But, he added, "I think the most important thing is attitude." He said he expects relations between Congress and the intelligence community to improve now that William J. Casey has resigned as CIA director. He added that "better chemistry" exists between Congress and Robert M. Gates, the president's nominee to succeed Casey.